

AFFIDAVIT OF SERVICE

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

DOCUMENTS SERVED WITH INDEX # 07CIV8829 AND FILED ON OCTOBER 12, 2007

ATTORNEY(S): Daniel M. Bauso ,

Plaintiff

Richard Collins

vs

Cigna Life Insurance Company of New York, et ano

Defendant

STATE OF NEW YORK: COUNTY OF ALBANY COUNTY, SS:

James Perone, being duly sworn deposes and says deponent is not a party to this action, is over the age of eighteen years and resides in the State of New York. That on November 5, 2007 at 1:27pm at NYS Supt. of Insurance, 1 Commerce Plaza, Albany, NY deponent served the within Summons in a Civil Action and Complaint

on: Cigna Life Insurance Company of New York Defendant (herein called recipient) therein named.

INDIVIDUAL

A ☐ By personally delivering to and leaving with said a true copy thereof, and that deponent knew the person so served to be the person mentioned and described in said Summons in a Civil Action and Complaint

CORPORATION

B ☒ By delivering to and leaving with Patrick Harrigan at 1 Commerce Plaza, Albany, NY and that deponent knew the person so served to be the Attorney of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person:

SUITABLE AGE PERSON

C ☐ By delivering a true copy thereof to and leaving with a person of suitable age and discretion at the said premises being the defendants/respondents

[] dwelling place (usual place of abode) [] actual place of business within the State of New York.

AFFIXING TO DOOR

D ☐ By affixing a true copy thereof to the door of said premises, the same being the defendant's [] dwelling house (usual place of abode) [] actual place of business within the State of New York.

MAILING TO RESIDENCE

(use with C or D) E1 ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's residence at and deposited said envelope in an official depository under the exclusive care and custody of the United States Post Office within New York State on

MAILING TO BUSINESS

(use with C or D) E2 ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business at in an official depository under the exclusive care and custody of the United States Post Office within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant and mailed on

PREVIOUS ATTEMPTS

(use with D) F ☐ Deponent had previously attempted to serve the above named defendant/ respondent

Day _____ Date _____ Time _____

Day _____ Date _____ Time _____

Day _____ Date _____ Time _____

Deponent spoke with _____ who stated to deponent that the said defendant(s) lived at the aforementioned address, but did not know defendant's place of employment.

G ☒

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.

VOID WITHOUT DESCRIPTION

(Use with A, B, C & D) A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Approximate age 36 - 50 Yrs. Approximate weight 161 - 200 Lbs. Approximate height 5' 9" - 6' 0" Sex Male
Color of skin White Color of hair Red Other

MILITARY SERVICE

X ☒ Deponent asked the person spoken to whether the defendant/respondent was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further says that deponent knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.


NON-SERVICE

H ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served due to the following: [] Not known at address [] Address does not exist [] Evading [] Moved left no forwarding [] Other

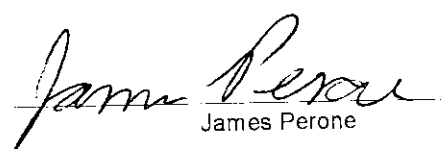
WIT. FEES

I ☐ \$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Sworn to before me on this 6th day of November, 2007


DONNA M. TIDINGS

NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 15, 2011


James Perone

Attny's File No.

Invoice/Work Order # SP0709308

SERVICO, INC. - PO BOX 871 - ALBANY, NEW YORK 12201 - PH 518-463-4179

STATE OF NEW YORK
INSURANCE DEPARTMENT
One Commerce Plaza
Albany, NY 12257

STATE OF NEW YORK
District Court, Southern District of New York

Richard Collins

07 CIV 8829

against

Plaintiff(s)

CIGNA Life Insurance Company of New York

Defendant(s)

RE : CIGNA Life Insurance Company of New York

Attorney for Plaintiff(s) and Defendant please take notice as follows:

Sirs :

Attorney for Plaintiff(s) is hereby advised of acknowledgement of service upon me of Summons and Complaint in the above entitled action on November 5, 2007 at Albany, New York. The \$40 fee is also acknowledged.

Original to Attorney for Plaintiff(s) :

Daniel M. Bauso, Esq.
Attorney at Law
80-02 Kew Gardens Road, Suite 703
Kew Gardens, New York 11415

Pursuant to the requirement of section 1212 of the Insurance Law, Defendant is hereby notified of service as effected above. A copy of the paper is enclosed.

Duplicate to Defendant :

Michael A. James, Chief Counsel
CIGNA Life Insurance Company of New York
1601 Chestnut Street, TL21A
Philadelphia, Pennsylvania 19192-2211



by Clark J. Williams
Assistant Deputy Superintendent & Chief

Dated Albany, New York, November 05, 2007

422882 C.A.#188085